#### HAZING AT WEST POINT. THE ARMY COMMISSION TAKES UP THE CASE OF CADET HERETH.

Father O'Reefe, Who Had Charge of Breth

courage in a fight he had with another ordet, and in which, seconding to order ethics, he was the offending party. This was repeated over and over again by forty-eight of Booz's classicates. In addition to that there was unnaimous testimony that an instance of a cadet having t basco or any other article put into his mouth by force was never heard of, sithough practically all the cadets testified that they had been ordered to take

the order and had never suffered the slightest ill effects in consequence. There still remained twenty of Booz's sixtyeight classmates who are in the academy. and it was expected that their examinations and it was expected that their examinations would occupy the greater part of the day's sessions, but there was a variation of programme. Not because of the publications in yesterday's and to-day's papers, but solely because it was a collateral issue connected with the Booz case, the commission branched off into an investigation of the career of Cadet John Breth of Altoona, Pa., who died recently John Breth of Altoona, Pa., who died recently and whose mother wrote to the mother of Booz a letter in which she said that her son was also a victim of West Point hazing and had died in consequence thereof. The Rev. Cornellus G. O'Keefe, rector of the Catholic Church of the Sacred Heart at Highland Falls, whose field of religious work covers the West Point military reservation and the Catholic cadets in the military academy, and whose opportunities for knowing what is going on in the Military Academy have been and are altogether exceptional for a civillan, was the first witness to testify in regard to the Breta case. In answer to a question by Gen. Brooke he testified as fol-

"I knew Cadet John Breth. He came to Highland Falls to prepare for his examination for entrance to the Military Academy. He was there about three months. He brought with him a let er of introduction to me from a Catholio priest in Altoona recommending hi to my god offices and equesting me to have a general outlook for his interests. I met the young man repeatedly during his residence at Highland Falls and afterward when he was admitted to the Academy as a member of the cadet corps I saw him several times while he was in camp. He never complained to me of fil health or ill treatment. I said to him one day laughingly: "Well, Breth, are they hazing you?' To this he replied, also laughingly, that they were, but that he did not raind it, rather liked it, in fact, for the fun there was in it.

"As the time for the January examinations approached he became uneasy about his ability to pass. In fact it became apparent that he was in very great danger of not passing. His anxiety on this point was com-municated to his sister. She came on from Altoons to Highland Falls to see me about it. She asked me to see Breth's professors or the authorities of the Academy on the subject. To gratify her I did so. I saw the professor of mathematics and he told me Breth's chances of passing his examination in that branch were hopeless. The event proved as the professor had indicated. Breth failed to pass and he seemed quite broken-hearted because he had to leave the Arademy. I surely would have known of it had he been subjected to any brutal hazing that tended to undermine his health. The post physician at that time was a Catholic and the fact would certainly have come to me if it had existed. I do not believe it did exist.

From my confidential relations with cadets here running through a number of years. I have been in a position to know all about the hazing that was going on. I have never heard of a single instance of brutal hazing. I believe in this respect West Point will compare favorably with any other institution in the country. I likewise have to learn of a single instance of a cadet of any faith being subjected to taunts or anneyance of any kind because of that faith. In regard to the hazing, there has been more of it since 1808, and as to the general subject of hazing, I am forced to confess that I agree with the codeta that hazing is beneficial when kept within proper bounds. I have received many letters from mothers of cadets who had read in the newspapers accounts of West Point hazing and who had been made anxious thereby for the eafair of their sons

"I invariably wrote in reply to these letters Invariably wrote in reply to these letters saving that there was no cause whatever for uneasiness, that the hazing when it existed was very reld and involved no personal peril. I consider the average morals of the West Point Military Arademy better than in any other institution in the country. Temptation comes to man everywhere, but, so far as temptation can be guarded against. Tempation comes and expressed against, I am sure that the young men in the Military Academy are as well protected as in any religious institution in the world. I repeat again that I never heard of any brutal hazing and I have never believed that any existed here."

and I have never believed that any existed here.

Following hard upon Father O'Keefe's testimony came still another setback to the persecution and brutality stories. This was in the shape of a telegram received to-day by Col. Mills. Superintendert of the Academy, from Mr. P. O. Phillips of Cleveland. Onio. The sending of this telegram was instigated by the testimony of Mr. Booz. Inther of the late Cadet Booz, at Bristol. Pn. a few days ago. Mr. Booz had testified that the parents of cadets had gone to West Point to protect their sons from the hazing brutalities of the cadets. On being asked to specify an instance he cited Mr. Phillips, who has a son in the academy, as being one who had come here for the purpose mentioned. This came to Mr. Phillips's attention in Cleve and to-day and he at once sent to Supt. Mills the following telegram. Which was handed into the room while Father O'Keefe was testifying, and was read out by Capt. Dean as soon as the witness left the stand:

"CLEVELAND, Ohlo, Dec. 20, 1900.

testimony came still another setback to the persecution and brytally stories. This was in the shape of a telegram received to-day by Col. Mills. Saperintedent of the Academy, from Mr. P. O. Phillips of Gleveland. Onto The Sending of this telegram was instigated by the testimony of Bristel. For a few days ago. Mr. Booz had testilled that the parents of cadets had gone to West Point to protect their sons from the hazing brutalities of the cadets. On being asked to specify an instance he cited Mr. Phillips, who has a soon as the common of the protect of the

here on a visit something like a year after his discharge and then was apparently in robust hearth. A year after this visit he was attacked with typhoid pneumonia, of which he died. In other words, it is asserted that a young man who was discharged because de could not keep up with his class died of typhoid promounts brought on by being hazed in the Military Academy two years

Father O'Reefs. Who Had Charge of Breth
White He Was a Cadet. Bentz That He Was
Ever Injured by Haring Breth's Record
shows That He Entered the Academy in
Jame, 1897, and Was Discharged in Jamoarr, 1809s, for Bretiener in Mathematics
He Was The Apparently in Robust Health
Interesting Testimony in the Hoor Case.
Wwar Point, Dec 20—The United Statos
Army Commission, which is investigating
the charges of brutal haring made in connection with the earth of Oscar L. Booz, formerly
the charges of brutal haring made in connection with the cath of Oscar L. Booz, formerly
a cadet here, held to-day the must interest
ing of any of the Ree West Point aesslors,
in the two hearings of vesterday and in the
first the two hearings of vesterday and in the
statement of every cadet canning dwas in
its general substance the sans. They all
solemnly made oath that Booz was hazed
solemnly made oath that Booz was hazed
from more than other members of his class.

Some witnesses testified that he was even
hazed less thin his chesenvites on second of
the cidets characterize as lid lack of
what the cidets characterize as lid lac

and classinates saw, that there was little or no hope of his passing the January examinations, he was greatly disturbed at the prospective humilation. In fact, one of his classinates has testified that Root spoke to him of this and said he would leave before the examinations took place. This, by the way, is a common practice with cadets who foresee their failure at examination. By leaving before the ordeal takes place they may come back and try it again, whereas, if they underso the test and are found delicient, they can only return by consent of the Academic Board.

Up to to-day the testimony as to the unpopularity of Booz in the cadet corps has borne upon his alleged showing of the white testher in a personal encounter with Cadet Keller, in which, according to cadet traditions, Booz was the offending party. In this his entire class of sixty-eight young men have unanimously agreed and have been supported in their statements by althe cadets of other classes who have been examined. To-day there was introduced testimony bearing upon another phase of the general poor opinion in which the young man unquestionably was held. This went to the from one to five drops of the papper sauce. similar to t bases, with which the cadet mess table is supplied, and that they had obeyed

and Appraiser Wilbur F. Wakeman. In some with the works may show the source of the company of the source of the company of the

tresident of the first class codet, now Lieut. For I had very little to do with Booz after the Ind., year from the yards of her builders. A He was not cleanly. He would not take a bath until forced to do so.

Q. If a cadet says he has consetentious scruipes about doing something he is told to do, what action is taken?

A because the cadet agreed to do away with heaving? A peer a distance the word for it and that ends; it.

Q. How long is it since the cadeta agreed to do away with heaving? A year agreed to do away with heaving? A year agreed to do away with heaving? A year agreed to the task cut out for her. There will be don't know whether he present fourth class is not yet organized with its officers.

Cadet William C Ennis, who is also a member ber of the first class, told something about the light color with the green and a long treatment of the first class, told something about the light color with the green and the first, he testified the same which the western that the first, he testified the way may be possible to the cadet agree of a most refusive to the same weight they are of about the same weight they are of about the same weight they are of the property of the propert

who not only saw Booz hazed, but who saw him taste the historical pepper sauce. Cadet Edmund C. Bull of the third class was one of "I saw Booz hazed." he testified "He was standing up and somebody told him to blow the foam off himself. He turned his head and hiew over each shoulder. I saw him take pepper sauce. He took three drops from a spoon. I hever saw him physically forced to take pepper sauce. He took it himself. Sometimes catsap was put into the pepper sauce bettle to seare the fourth classmen when they were told to take a lot of it. I saw Booz an hour after the flash in company formation going to supper. He laughed when he spote of the fight. I saw him four hours before he left for home. He looked as well as he did when he came here.

There were twenty-live or thirty ladies present in the inquisition room to-day fand, a considerable number of officers of the post. Much of the testimony of the cadets as to the way they had been hazed was very anusing, and the ladies in particular seemed to greatly appreciate this feature of it.

Hack in 1877 or 1878 Major Samuel M. Mills was here as quartermaster, and he introduced bread and molasses na an article of diet. From that day to this oread and molasses has been identified with his name and it figures a great deal in the cadet hazing. One of the hazing ordeals is called "qualifying for the mess room," and it consists of eating seven or eight slices of bread thickly covered with molasses.

Before the new cadet has "qualified" by "I saw Booz hazed." he testified. "He was

from which the sance they had taken was loured, or rather dropped.

Cades W. H. Cowles of New Hampsone testified that he prepared for West Point at St. Luke's Academy, Philadelphia, with Booz, and that the principal. U. H. Stout, fold him that he did not expect Booz would pass the scalemy entrance examination. The computation made careful nate of Mr. Stout's natic, and it is not unlikely that his testimony will be taken. Cadet Telford, who testified that he was a Mormon, said that there were after Mormons in the cadet corps, and that he had never been appoved because of his religious traith and had never heard of any other being annoyed for like cause.

ment in the committee to this city to take the testiment mony of friends, the family and Dr. E. E.
Seors ic or Dr. Goodman aliewes Breth told him on
his deathbed that he had been dragged by
the heels through the Academy grounds in
his his hight attire and that the skin was torn
of his back. The marks of these injuries
the long. Dr. Goodman is anylous to give prohome. Dr. Goodman is anxious to give pro-fessional testimony in regard to other in-juries he noted on the young cades.
"Astounding and shameful are the only adjectives describing the young man's con-dition," the physician said to-day.

#### SECRETARY GAGE AT ELLIS ISLAND Says New Buildings Are the Model Immigration

Immigration Commissioner Fitchie receved at the new immigrant station at Ellis Island yesterday afternoon many of his superiors, including Secretary of the Treasury Lyman J. Gage, Assistant Secretary H. A. Taylor, Commissioner General of Immigration Pow-

# For the first time cadets were found to-day Labor Unions Object to a School to Teach Ube-

Boston, Dec. 20 .- Benjamin Franklin's bequest to the city of Boston, which now amounts to over \$300,000, which he left to be by the Board of Franklin Fund managers. The disposal of this fund has provoked a contest between the labor bodies of the city and certain philanthrepists.

Twice already the managers have voted for its expenditure in the erection of a trade school, an idea which, it is believed, will come nearer to what Franklin desired than anything else, and twice the labor men have blocked the move. They say that they do not want any trade school to turn out mechanics, but want to control the labor market themselves. The latest scheme was to erect a building which would contain rooms for meetings of the labor bodies free of rent and lecture rooms where instruction in the higher professional branches might be offered.

sults of the experiments made by the battleship Massachusetts with the marine cableway for coaling at sea a year ago, has given a contract to the "Marine Cableway for Coala contract to the "Marine Cableway for Coaling at Sea Company" of this city for an Apparatus capable of delivering forty tons of coal
an hour to a vessel travelling at 10-knot speed.
In the trials with the Massachusetts an
apparatus designed for transferring fifteen
tons an hour at 6-knot speed showed a capacity
for transferring twenty-two tons an hour at
the required speed and in a sea "heavier than
moderate" moderate

Mr. Spencer Miller, the inventor, settled
the contract with the British Admiralty a
few days ago. The collier Muriel has been
chartered for the experiment. Mr. Miller
is confident that the heavier cableway designed for this contract will more than meet
the requirements.

### BARNEY BARNATO'S SHAM BROTHER Arrested in the New York Theatre Just as a

Warning That He's Watched. Capt. Titus said yesterday that Roland Gideon Israel Barnett, who was arrested in the New York Theatre on Tuesday night and discharged in court the next day with a warning to keep away from theatrical people, was the man who, after the suicide of Barney Barneto, the South African millionaire, asserted that he was Barnato's brother, sent a lower to South Africa to assert his claim and for some time convinced Barnato's friends that the claim was genuine. He has done time in Canadian prisons for blackmail. Capt Titus said he was recognized in the theatre by some one who knew his record and was arrested as a warning that he was watched. Barnett is about 50 years old, dark and of distinguished appearance. warning to keep away from theatrical people,

## To Overhant the Reina Mercedes

PORTSMOUTH, N.H., Dec. 20.-A Naval Board of Survey, headed by Rear Admiral Frederick Rolgers visited the Spanish cruiser Reina Mercedes vesterday. After the inspection it was said that the decision was ke suggest that the cruiser be overhauled thoroughly.

COSTLY PUBLIC BATH, THIS.

CHARITABLE SOCIETY OFFICE TO BE Y IF AT HALF PRICE

Commissioner Kearns's Appropriation is \$35,000, but the Association for Improving the Condition of the Poor Will Coarantee to Do the Work for \$17.500. The Association for Deproving the Condi-

tion of the Poor sent a letter to Mayor Van Wyck yesterday in which it declared that the appropriation of \$35,000 for the maintewas excessive, and offered to undertake the conduct of the bath for \$17,500 a year. Ten last fiscal year 131,000 baths were given there bath has seventy-seven compartments, and Commissioner Kearny wanted \$52,000 to run a large corporation and not a trust. Sheets The Board of Estimate allowed \$35,000. The association makes its proposition in these words:

"It is the belief of the Board of Managers of this association, founded upon eight years' practical knowledge of the matter, that the expenditure of any such sum as \$35,000 for one year's maintenance of the free public bath in Rivington street is unnecessary, unwarranted and prejudicial to progress in extending the public bath system. The Commissioner's estimate calls for an independent engineering force of two engineers, four firemen, one oiler and one electrician, with salaries aggregating \$8,422.50 per annum, and for \$4,500 for fuel, yet, notwithstanding these large estimates, the enormous sum of \$10,100 is asked for gas and electric lighting. Although this is a new building, presumably

Although this is a new building, presumably to be turned over to the city in complete working order, \$2,000 is also asked for general repairs to building, including water, steam, electric plants, &c.

"Moreover, a further examination of the items of the appropriation resed reveals the singular omission of a most important item of expense. Nowhere in the statement of items necessary to conduct the Rivington treet bath, footing up the large total of \$2,000, is a single cent asked for to provide soap and towels.

there she went in and the matron heard her story.

Agent Moore of the children's society was assigned to the case and he arrested the older sister. She is only 21. Bertha told the agent that her father and mother were dead, and that she had been in St. Mary's Orphanage in Alexandria and later in the Children's School of St. Cecilia, in Washington. From there her sister took her.

Alleen Lawrence said in court that the charges of cruelty against her were false. Agent Moore, however, found in the boarding house yard a limb of a tree freshly torn off. The elder sister was held in \$800 bail for examination to-day.

#### DIVORCE MILL BRUNETTE Pigures With "Wilson" in the Waidler Divorce

Case. One of the fraudulent divorce cases of Lawyer Henry Zeimer, who is to be sentenced to-day in General Sessions for subornation of perjury is referred to in a report filed by Algernon S. Norton as referee in the Supreme Court yesterday. The case was brought by William J. Waidler against Minnie C. Waidler for an absolute divorce and was sent on consent of Zeimer and on the signature of a name

cent of Zeimer and on the signature of a name purporting to be that of a lawyer representing the defendant, to Mr. Norton as referee by Justice Lawrence.

The referee says the disclosures of the Zoimer case have shown that the conduct of the Widler case was irregular. A witness who appeared before Referee Norton under the name of Frank Henry and who, according to the testimony was intimate with the defendant, was not Henry but Wilson, who appeared in so many of Zeimer's cases and who was afterward arrested is one of the divorce mili gang. Another witness who appeared before Norton said that she was Carrie Findley. It is now supposed by the referee that she was also one of Zeimer's regular witnesses, the brunette corespondent. Furthermore, Referee Norton does not believe that Mrs. Waidler was ever served.

#### THREE MINES ON FIRE. Flames Spread in the Delaware, Pine Ridge and Laurel Run Colliertes.

WILKES-BARRE, Pa., Dec. 20 .- Despite the efforts of as large a force of fire fighters as can be gotten into the colliery, the fire as can be gotten into the colliery, the fire at the Delaware. Pine Ridge and Laurel Run mines is steadily gaining. Extra men were put on last night and lines of hose have been laid to every available opening, but all without noticeable effect, for the fire creeps enward steadily and has a firm held on all the three mines. There seems no way of stopping it by the ordinary means and the officials are considering the advisability of scaling the openings all around the fire and then flooding the mines. This will be done only as a last resort on account of the great expense and the damage to the mine that it would cause.

## Centre of Well-to-Do Population.

The centre of population of prominent families in this city, according to the "scales" of the "social register," is close to Fiftieth street in the block bounded by Fifth and Sixth avenues end Forty-ninth and Fiftheth streets. Of the 6,330 families whose names are printed in the "Register," 8,566 live on the west side of Fifth avenue and 2,674 on the east

Pronis, Ill., Dec. 20.-As a result of attacks n press and court and city council, William B. McKinley, President of the Peoria Gas Light and Coke Company, yesterday informed patrons that a uniform rate of \$i per 1,000 cubic feet is to be charged all consumers of gas in the city. Contracts held by a part of the consumers, giving them gas at 30 cents, are repudiated. ONIO TREST HEXT OVER

Attorney General of the State Not to War on Fig Corporations.

COLUMBER, Obto, Dec. 20. - Attorney-General Sheets made an announcement this morning that he had decided to request the Supreme Court to dismiss all the Oil Trust cases and the Tobacco Trust case brought by former Attorney-General Monnett. The oil cases include suits to oust from Ohio the Buckeye Pipe Line Company, the Solar Refining Company, the Ohio Oil Company, and the Standard Oil Company, on the ground that they form & nance of the new public bath in Rivington street | trust. The Tobacco case is to oust the Continental Tobacco Company from Ohio

Sheets said he would ask for the dismissal years ago the association constructed a bath of the oil cases on the ground that evidence at 9 Centre Market place. This bath has could not be secured sufficient to prove that twenty-six compartments, but during the the defendants are violating the Anti-Trust law. In asking for the dismissal of at a cost of \$5,776. The new Rivington street | the Tobacco Trust case, Sheets lays down the principle that the Continental is simply holds that a corporation may buy outright all the concerns of the country without violating the Anti-Trust law. Only a pooling of interests violates the law, he says.

#### BANK ROBBERS GOT \$50.

Required Two Explosions to Break Open the Safe -Side of a House Blown Out.

WESTMINSTER, Md., Dec. 20.-The Hampstead Bank of Carroll county, at Ham stead. ten miles from this city on the Baltimore and Harrisburg branch of the Western Maryland Railroad, was robbed this morning at 2 o'clock. The bank has not been established long and a new building is being erected for it. Two strangers were seen near the bank just after a freight train passed up the road about 11 o'clock P. M., and it is now supposed they came on the train. A handcar at the station was missing after the robbery and it is supposed the men left the

robbery and it is supposed the men left the town on it. The hand car was found near Woodensburg, which shows they went south toward Giandon.

Before attacking the bank the robbers put locks and bars on Mr. Tipton's house to prevent him from getting out and giving an alarm. The bank was opened and the safe blown to pieces. The first attempt at blowing open the safe was unsuccessful. The explosion was heard, but no one seems to have been much aroused by it. The second was terrific, and heard all over the town, which is about a mile long. Not only was the safe wrecked, but one side of the building was blown out. Part of the safe was found fifty feet away. Whilam J. Kelbaugh, the cashier, had carried the paper money and valuable papers of the bank to his house and only coin was in the safe amounting to about \$50.

Shortly after the robbery the population of the town was at the scene. The telephone and telegraph were used to head off the robbers without success.

#### THE MILLS DREDGE LAUNCHED. Second of the Vessels to He Used in Digging the New Harbor Channel.

BALTIMORE, Dec. 20. - The Hydraulio Dredge Mills which the Maryland Steel Company has constructed at Sparrows Point was successfully launched to-day at 12:30 o'clock. Mrs. Andrew J. Onderdonk, the wife of the contractor who has in charge the work of widening and deepening the entrance to New York Harbor and for whom the boat was constructed, broke the bottle over its bow. After the ceremony a luncheon was served. A mong those present were Mr. and Mrs. Erederick Wood. Mr. and Mrs. R. K. Wood. Mr. A. J. Onderdonk, Messrs. D. O. and Ogden Mills of New York, Gen. Samuel Thomas, Mrs. Beloss of Chicago, the Misses Reese of Bultimore, Miss Agnes Pettigrew, Mr. Charles Pettigrew, superintendent of the steel plant; Mr. C. J. Symington of New York and Messrs. A. S. Wilson, superintendent of the Marine Department. Rogers Wilson, assistant superintendent; H. A. Magoun, chief engineer of the Marine Department. Thomas, which was successfully launched on Dec. 10. Both dredges are 300 feet long, 52½ feet beam and 25 feet deep. The Mills will have a carrying capacity of \$1,000 cubic feet and will be equipped with 48-inch pumps. The ship will not be delivered to the owners for two or three months, as the machinery has not yet been put on board and a number of other finishing touches will be applied before she is ready for service the boat was constructed, broke the bottle over its bow. After the ceremony a luncheon was served. Among those present were Mr.

## GEORGE C. LUDLOW'S FUNERAL. To Take Place To-day in New Brunswick -- The

NEW BRUNSWICK, N. J., Dec. 20 .- The funral of George C. Ludlow, formerly Governor of New Jersey and an Associate Justice of the Supreme Court, will take place from the First Presbyterian Church of this city at 2 o'clock to-morrow afternoon. A eulogy will be pronounced by the Rev. Dr. Jacob Cooper, Vice-President of Rutgers College. The pallbearers will be Gov. Foster M. Voorhees, Chancellor William J. Mazie, Chief Justice David A. Deque, Justices Bennett Van Syckel, Jonathan Dixon, Charles G. Garrison, William S. Gummere, Gibert Collins, J. Franklin Fort and A. Q. Garretson; Attorney-General Samuel H. Grey and ex-Gov. George T. Werts.

Gov. Voorhees to-day directed that all public buildings of the State be draped in mourning for thirty days and that until the day succeeding the obsequies the flags be placed at half most. During the funeral services the public offices will be closed and a salute will be fired at Trenton.

The interment to-morrow will be in Elmwood Cemetery in this city. the First Presbyterian Church of this city



For goodness sake, my wiley dear Don't buy cigars for me, this year. Get me instead, love, I entreat, A smoking coat at Rogers Peet.

And one more mightily interesting happening: a neckwear rummage sale.

We've ransacked our entire stock, and given the sack to any and every scarf that has been the least bit backward about putting itself forward.

## At Warren and 32d street stores.

Not a single solitary scarf that was priced less than a dollarfrom that to \$2.25. 65 cents.

At the Prince street store.

A generous culling from all

the 50 and 75 cent scarfs. 25 cents.

Nothing for man or boy's evening wear you won't find here and right, from pumps to opera hat, with all that goes over, under and between.

ROGERS, PEET & COMPANY. 258 Broadway, cor. Warren, and 7 and 9 Warren St. 569 Broadway, cor. Prince, 1260 Broadway, cor. 324, and 54 West 334 St.

The purchase of a Pianola will be the most satisfactory way of deciding your most important gift question. It provides pleasure for the entire year. D D D

REASONS WHY A

# Pianola

## IS AN IDEAL Christmas Gift

It enables the receiver to play upon the piano at will any and every selection desired. It extends this pleasure to every member of the family, thereby

multiplying the usefulness of the piano. It makes unnecessary the drudgery of practicing, as no musical knowledge is required in order to play it. And it admits of the effects and pleasure of hand-playing, for the

player regulates the expression, which is the soul of music. If you wish to play the piano by hand, roll the Pianola to one side. When you desire to play a selection outside of your repertory, roll the Pinnola back so that its felt-covered fingers will rest upon the keys of the piano, and insert the music roll.

Nothing is too difficult. Nobody is debarred from playing it.
Paderewski enjoys the Pianola, and has recently ordered another for his home in

Every one who owns a Pianola is an enthusiast. If you wish delivery before Christmas place your order as early as possible, to avoid disappointment as to matching wood of your piano.

The AEOLIAN CO

18 West 23d St., New York. 500 Fulton St., Brooklyn.

# DIAMOND JEWELRY.

Most of the handsome brooches and pendants at our establishment are from our own exclusive designs and not to be seen elsewhere. Our exhibit is an interesting study for admirers of unique effects in precious stone jewelry.

Diamond Solitaire Rings. 25.00 to 500.00 | Seren stone diamond pendants. Diamond cluster, with Pearl Ruby, Emerald Centre, 35.00 to 750.00 Diamond and Pearl Brooches, 20.00 to 150.00

Diamond two-stope effects, with small diamonds in ring shank, 50.00 to 450.00 Diamond Solitaire Pins, 35.00 to 500.00

Open Evenings Till X-Mas.

# A. Frankfield & Co. Importers. 52 West 14th St., Near 6th Ave.

Struck a Woman, Who, She Says, Tried to Come

Between Her and Her Husband. Nevada Farrington, a vaudeville actress, who is the wife of Dr. Frank Leonard of 13 Schenectady avenue, was arraigned before Magistrate Worth in the Gates avenue police court, Brooklyn, yesterday on the charge of assault. The complainant was Mrs. Margaret Sammis, a widow, of 228 Wyckoff avenue, who is a ticket agent at the Saratoga avenue station of the Kings County Lievated Railroad. Mrs. Leonard said Mrs. Sammis wrote a letter to Dr. Leonard on Monday last asking the doctor to call upon her at the station. The doctor gave the letter to his wife and Mrs. Leonard made the call her-

wife and Mrs. Leonard made the call herself.

"What do you mean by sending a letter to
my husband?" she asked.

The defendant said that Mrs. Sammis responded by throwing a tin cash box at her
and she then smashed Mrs. Sammis.

"What did you do that for?" Magistrate
Worth asked.

"Idd it to defend the honor of my home."
she replied. "This woman has been trying
to come between my husband and myself
ever since we were married in the Pro-Cathedral by Father Donohue. People think
because I'm an actress I can go wrong. I
want to state to you now, that although I
am on the stage, I am always ready to defend the purity of my home, with my fists
if necessary."

"Did you strike Mrs. Sammis?" asked the "Did you strike Mrs. Sammis?" asked the Magistrate.

I did, but that was after she hit me in the face with a tin box," said the defendant.

There will be a further examination on

#### HOMICIDE CHARGE AGAINST COP. McMullen of Brooklyn Dies and New Papers

Are Out Against Detective Desmond. James McMulien died in the Norwegian Hospital in Brooklyn early yesterday morn ing from a pistol shot wound inflicted by Detective Officer Timothy J. Desmond in Detective Officer Timothy J. Desmond in McMullen's house, Bay Seventeenth street and Benson avenue, Bath Beach, early on Sunday motning Desmond, who is locked up in Raymond Street Jail, sleeges that he thought McMullen was a burglar and that in trying to arrest him McMullen stole his club and shield. He alleges that while altempting to recover the property, he held his revolver to frighten McMullen and that it was accidentally discharged. He was arrested at the time on a charge of felonious assault.

Mrs. Rebecca McMullen, the widow, appeared in the Coney Island police court yesterday and made a charge of homleide against Desmond Desmond will be arraigned today to plead to the new charge.

In the Easex Market police court yesterday to a swimming neatch for a keg of beer. The challenge was ignored.

"You were drunk and begging alms on the Bowery," said to Magistrate.

#### RISSED A COP AGAINS! HIS WILL. Three-Dollar Penalty Imposed on Jennie Sonnelly for Her Little Mistake.

Jennie Sonnolly, who said she was an actrested by Policeman Dust of the Oak street station for being druak in New Bowery on Wednesday evening. She sprang out from a dark doorway, embraced and kissed him.

"Back up! Back up! whispered the policeman. You have the wrong dude this time." ress of 40 West Thirty-ninth street, was artime."
Jennie protested that at that moment she embraced the only woman she ever loved and Dust arrested her, much to the interest of an assembled crowd. Magistrate Deuel fined her \$3 yesterday.

SWEARS AGAINST LAWYER SNITKIN.

Complaining Witness Says He Was Hired to Stay Away From the Schwarz Trial. Charles Keim, testifying before Judge Newburger yesterday against I onlis and Sam Schwarz, who were acquitted of a charge of grand larceny, said that Leonard A. Snitkin, the defendants' lawyer, of the Pissex Warket Bar Association, had given him 225 on Wednesday to remain away from the trial yesterday. He said that he still had the money, but his conscience would not allow him to remain away Judge New-burger will investigate his charge

## Tracks Will Now Be Raised in Newark.

The matter of elevating the Pennsylvania Railroad tracks in Newark and incidentally continuing the elevation of the Central Railroad over Mulberry and Lawrence streets was practically settled yestedday by the Board of Works according to the Pennsylvania Railroad Company's terms in regard to a division of the damages arising from the change. The elevation of the Market street bridge from Harrison will be a part of the work and the tracks will be raised to the southern extreme of the city.

A plan for the relief of the Anglo-American Savings and Loan Association, now in a Savings and Loan Association, now in a receiver's hands, was decided upon at a meeting of the directors held on Wednesday night. A company is to be formed with a preferred cash capital stock of \$175,000, which will take over the real estate interests of the association. Sufficient money, it was said yesterday, was piedged at the meeting on Wednesday night to carry out the plan, which will be put into operation as soon as approved by the receivers and the court. The entire real estate interests of the association represent in value about \$2,000,000. Household Art Goods.

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MAGISTRATE CHALLENGED TO SWIM. Keg of Beer Offered as a Prize by Bowery Pan-A Bowery panhandler, who said he was

John Fitzgerald, challenged Magistrate Crane in the Essex Market police court yesterday

"Well, what of it, Jedge," said Fitzgerald, "Give me six months. Do you know Paddy Roach, Paddy Divver. Tim Sullivan, Martin Engel an' Billy Clancy, de Aiderman?"

"I can't say that I do." said the Magistrate.

"Well, dev're all friends of mine," replied
Fitzcerald "Go alread an give me six
months, an' if you do I'll swim de Island.
I swim away before"

"I don't believe you can swim," said the Magistrate,
"Is dat so?" asked the panhandler, "Well,
I'll lust swim you for a beg of heet."
"I ruses it's near you generally swim in,"
remarked the Magistrate
"Do I get the six months?" asked Fitz-

geraid
"You do," replied the Magistrate
"Tanks, Jedge, I'll meet you next spring
at de racetrack," said the prisoner as he was

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